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**AUG 29 2008**

**OFFICE OF PETITIONS**

In re Application of :  
Borden et al. : DECISION ON PETITION  
Application No. 10/606,517 :  
Filed: June 25, 2003 :  
Atty Docket No. 57266/2 :

This is a decision on the PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b) filed June 20, 2008.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to file a reply to the non-final Office action mailed April 9, 2007. This Office action set a shortened statutory period for reply of three (3) months, with extensions of time obtainable under § 1.136(a). No reply received and no extension of time obtained, the application became abandoned on July 10, 2007. A courtesy Notice of Abandonment was sent on October 19, 2007.

The petition includes the required reply in the form of an amendment, payment of the petition fee and the required statement of unintentional delay. No terminal disclaimer is required.

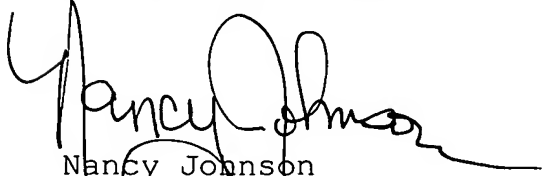
The instant petition was filed by and the statement of unintentional delay signed by a newly appointed patent practitioner of record. It is not apparent whether the person signing the statement of unintentional delay was in a position to have firsthand or direct knowledge of the facts and circumstances of the delay at issue. Nevertheless, such statement is being treated as having been made as the result of a reasonable inquiry into the facts and circumstances of such

delay. See 37 CFR 10.18(b) and Changes to Patent Practice and Procedure; Final Rule Notice, 62 Fed. Reg. 53131, 53178 (October 10, 1997), 1203 Off. Gaz. Pat. Office 63, 103 (October 21, 1997). In the event that such an inquiry has not been made, petitioner must make such an inquiry. If such inquiry results in the discovery that it is not correct that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional, petitioner must notify the Office.

Receipt of the power of attorney and change of address filed June 20, 2008 is acknowledged and made of record.

Technology Center AU 2141 has been advised of this decision. The application is, thereby, forwarded to the examiner for consideration of the amendment submitted on petition filed June 20, 2008.

Telephone inquiries specific to this decision should be directed to the undersigned at (571) 272-3219.



Nancy Johnson  
Senior Petitions Attorney  
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